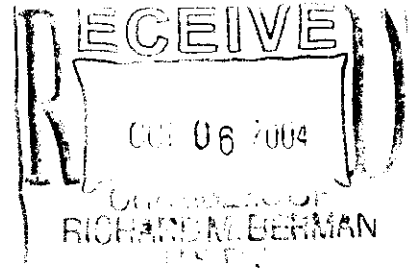
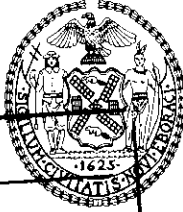


MEMO ENDORSED



11/29/04 (2) 10:45

MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

SHERYL BRUZZESE
Phone: (212) 788-0893
Fax: (212) 788-9776
Sbruzzese@law.nyc.gov

October 5, 2004

BY HAND

SO ORDERED: The Honorable Richard M. Berman
United States District Court Judge
Date: 10/5/04 Richard M. Berman, U.S.D.J.
United States District Court
Southern District of New York
40 Centre Street, Courtroom 706
New York, New York 10007

Re: Eneagua Lewis et al. v. City of New York, et. al.
04 CV 3696 (RMB)

Your Honor:

I am an Assistant Corporation Counsel with the New York City Law Department assigned to the defense of the above-referenced case. I write to respectfully request that the Court adjourn the October 13, 2004 status conference in this case. I make this request because the criminal matter is still pending and because I have a Court-ordered deposition currently scheduled for October 13, 2004. Plaintiff's counsel, David Zelman, Esq. consents to this request.

As the Court may recall, discovery in this matter is currently stayed until the criminal case is resolved. The criminal case was expected to be tried on September 22, 2004. The assigned Assistant District Attorney, Carrie Seiden, Esq., informed me that the criminal case is still pending. The criminal case was put over until October 6, 2004 for a decision on a pending motion by plaintiff's criminal defense attorney, Bahaati Pitt, Esq. The assigned Assistant District Attorney anticipates that, if that motion is not granted, this case may not go to trial until the end of November. As such, I write to respectfully request that the Court adjourn the presently scheduled conference until a date in the end of November that may be convenient for the Court. At that time, the criminal case may be resolved or, at the very least, defendants should have more information for the Court.

If the criminal case is resolved before that date, defendants will promptly notify the Court.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sheryl A. Bruzzese', with a stylized, flowing script.

Sheryl A. Bruzzese (SB 5680)
Assistant Corporation Counsel

cc: David Zelman, Esq. (by fax)
Attorney for Plaintiff

Carrie Seiden, Esq. (by fax)
Assistant District Attorney

Bahaati Pitt, Esq.
Legal Aid Society, Criminal Defense Attorney